

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

E-DPM Bulletin No. 24-14

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SUBJECT: Emergency Furloughs Due
to Federal Government Shut-Down

Date: April 8, 2011

1. Purpose

The purpose of this Electronic-District Personnel Manual (E-DPM) Bulletin is to assist subordinate agencies with implementing emergency furloughs in the event that the current Continuing Resolution, which provides appropriations authority to the District government, expires without further action by the President and the United States Congress.

2. Background

- a. As of the issuance date of this E-DPM Bulletin, the appropriations for fiscal year (FY) 2011 for the District government have not been approved and the current Continuing Resolution is set to expire on Friday, April 8, 2011. The federal Anti-Deficiency Act (ADA) restricts the Mayor and other District government officials from expending or obligating public funds, absent an appropriation. If the final Fiscal Year 2011 budget or a subsequent Continuing Resolution is not approved, the District government will be required to cease performing any government functions at 12:01 a.m. on April 9, 2011 that are not exempt from shut down under the ADA. During this shut down, all District employees, except those employees who are exempt under the ADA, will be furloughed (*i.e.*, carried in a non-duty, non-pay status).
- b. Attachment 1 to this Bulletin lists those agency employees and government functions that are exempt from shut-down under the ADA. The Mayor or the City Administrator may designate additional ADA-exemptions on a case-by-case basis.
- c. There is no relationship between the furloughs pursuant to the federal government shut-down and the furloughs pursuant to the Balanced Budget Holiday Furlough Emergency Amendment Act of 2011, effective February 2, 2011 (D.C. Act 19-3; 58 DCR 001241), as amended by the Public Safety Civilian Emergency Personnel Furlough Exemption Emergency Amendment Act of 2011, effective March 1, 2011 (D.C. Act 19-28; 58 DCR 856042). Accordingly, if the federal government-shut

Note: E-DPM Bulletins that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employees under their respective jurisdictions. [See DPM Chapter 2, Part II, Subpart 1, § 1.3.]

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down goes into effect and continues through Friday, April 15, 2011, the furloughs pursuant to D.C. Acts 19-3 and 19-28 shall be implemented as previously scheduled.

3. Duty to Notify of Shut Down (Agency Head)

In the event of a federal government shut-down, agency heads (or their respective designees) shall:

- a. Notify all agency employees of the federal shut-down and its impact on District government operations and their employment; and
- b. Notify an agency employee if he or she is designated as an “ADA-exempt employee.” An ADA-exempt employee shall not be furloughed in the event of a federal government shut down.

4. Shut-Down

- a. Employees who are not otherwise exempt from shut-down under the ADA are not authorized to work, whether for pay or voluntarily.
- b. Employees who are not otherwise exempt from shut-down under the ADA shall not use government-issued telecommunications devices such as “*Blackberries*” to perform work-related functions, or use remote computers to access the District government’s information technology systems (i.e., through the use of the VPN system), other than to determine whether they must report to work to either: (1) perform an ADA-exempt function, or (2) because the federal government shutdown has ended.
- c. Leave
 - (1) Supervisors may not grant annual leave, sick leave, or compensatory time-off requests.
 - (2) An employee who is on extended absence, regardless of the reason for the absence is to be placed on furlough as any other employee.
 - (3) Annual leave, sick leave, or compensatory time-off that was previously scheduled and approved shall be canceled. The employee shall be furloughed and any leave previously deducted shall be re-credited.
 - (4) An employee must be furloughed notwithstanding any prior leave request or reason for absence on the furlough date (*e.g.*, military leave, court leave, administrative closing, continuation of pay (COP) for job injury, etc.).

d. Overtime/Compensatory Time

An employee may not be required or permitted to work overtime for pay or compensatory time on a day on which he or she is furloughed.

e. Temporary Assignments of Personnel (also known as “IPAs”)

A covered District government employee on an IPA whose salary is paid in whole or in part by the District government is to be furloughed as any other covered employee.

f. Alternative Work Schedules

Employees on alternative work schedules who are not otherwise exempt under the ADA shall compute their furlough hours pursuant to guidance from Office of Pay and Retirement Services.

5. Shut-Down Exemptions

- a. District government operations exempt from furlough in the event of a federal government shut-down will continue to function as usual. ADA-exempt employees are to report to work as usual and will be paid for time spent in a duty status for all days of the shut-down during which their operation is exempt. All such ADA-exempt employees will be in an emergency furlough status for all scheduled work time not in a duty status. No leave of any type shall be authorized. Although ADA-exempt employees will be paid for work performed during a shut-down of the federal government, they will not be paid until after the shut-down ends.
- b. Employees that are funded through the capital budget may continue to work during a lapse in appropriations, if the capital budget authority funding their positions was approved in the FY 2010 Appropriations Act or earlier.

6. Recording Furlough Hours in PeopleSoft

In the event of a federal government shut-down, employees and timekeepers will be provided the appropriate time-reporting code.

7. Computing Furlough Hours for Non-Exempt Employees

- a. Full-time employees (80-hours or equivalent tour of duty each biweekly pay period) shall be furloughed 8 hours on each federal government shut-down day.
- b. Part-Time Employees (tours of less than 80 hours each biweekly pay period) shall be furloughed for a prorated number of hours on each government shut-down day, in accordance with the Attachment 2, the *Furlough Computation Schedule for Determining Pro-Rated Furlough Hours of Part-Time Employees*.

8. Employee Benefits

- a. Retirement – Contributions will be deducted from the employee's basic pay at the same percentage rate as deducted in a non-furlough pay period.
- b. Health Benefits – The employee's share of any health insurance cost will be deducted from the employee's base salary at the same premium rate as deducted in a non-furlough pay period.
- c. Life Insurance – The employee's share of any life insurance cost will be deducted from the employee's base salary at the same premium rate as deducted in a non-furlough pay period.
- d. Leave Accrual – Absences on furlough days will have the same effect on leave accruals as any other non-pay status.


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Attachments:

- Attachment 1: List of ADA-Exempt Functions that may Continue thru the Government Shut-Down
- Attachment 2: Furlough Computation Schedule For Determining Pro-Rated Furlough Hours of Part-Time Employees